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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 **DEXTER E. DALE,**

14 Plaintiff,

15 v.

16 **L. FERNANDEZ and L. LOUGH,**

17  
18  
19 Defendants.  
20

C 05-1842 JSW (PR)

**STIPULATION FOR DISMISSAL OF  
CASE WITH PREJUDICE; ORDER  
DISMISSING CASE WITH PREJUDICE**

Dept: Courtroom 11, 19th Fl.  
Judge: Hon. Jeffrey S. White

Action Filed: May 4, 2005  
FAC Filed: December 30, 2011

21  
22 IT IS HEREBY STIPULATED by the parties to this action, Plaintiff-inmate Dexter E. Dale  
23 and Defendants Louella Fernandez and Lillian Lough, through their designated counsel, that the  
24 above-captioned action is hereby dismissed, with prejudice, pursuant to Federal Rule of Civil  
25 Procedure 41(a)(1)(ii), with each party to bear their own costs and fees, including attorneys' fees  
26 and expenses. This stipulated dismissal incorporates by reference the terms of the Settlement and  
27 Release Agreement by and between Plaintiff Dexter E. Dale and the California Department of  
28 Corrections and Rehabilitation as if set forth herein.

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3 Dated: August 28, 2012

DECHERT LLP

4 By: /s/ Carl Gismervig  
CARL GISMERVIG

5  
6 Counsel for Plaintiff DEXTER E. DALE

7  
8 Dated: August 28, 2012

Respectfully Submitted,

9 KAMALA D. HARRIS  
Attorney General of California  
10 JOHN P. DEVINE  
Supervising Deputy Attorney General

11 /s/ Daniel B. Alweiss<sup>1</sup>

12 DANIEL B. ALWEISS  
Deputy Attorney General  
13 *Attorneys for Defendants Lillian Lough and*  
14 *Louella Fernandez*

15  
16 **ORDER**

17 IT IS HEREBY ORDERED that this case is DISMISSED, with prejudice. The Court shall  
18 retain jurisdiction over the enforcement of the Settlement and Release Agreement by and between  
19 Plaintiff Dexter E. Dale and the California Department of Corrections and Rehabilitation, which  
20 is incorporated by reference as if set forth herein.

21 Dated: August 30, 2012

22   
HONORABLE JEFFREY S. WHITE  
23 United States District Court Judge

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26  
27 <sup>1</sup> Pursuant to General Order 45(X), the filer of this document hereby attests that  
28 concurrence in the filing of the document has been obtained from Daniel B. Alweiss.